

Appl. No. : 10/725,962  
Filed : December 2, 2003

## REMARKS

Applicants have amended the Specification. The specific changes to the Specification are shown above in the Amendments to the Specification, wherein the insertions are underlined and the ~~deletions are stricken through~~. Applicants have amended Claims 1, 6, 7, 8, 14, 20, 22, and 23, and canceled claims 2, 3, 4, 5, 16-19, and 21. Thus, Claims 1, 6-15, 20, and 22-23 are presented for examination. The specific changes to the amended claims are shown above in the Amendments to the Claims, wherein the insertions are underlined and the ~~deletions are stricken through~~. Applicants respond below to rejections made by the Examiner in the Office Action of August 18, 2006.

### I. Claim Status

Applicants thank the Examiner for rejoining the claimed heavy and light chain SEQ ID NOS that were not included in the species election filed on May 25, 2006. As shown in the amended claims, the same heavy and light chain sequences appear, but are now presented as combinations of heavy and light chain sequences according to SEQ ID NO. Support for the amendment can be found in Tables 1 and 2 of the specification, as discussed in more detail *infra*. One heavy chain sequence (SEQ ID NO. 4), and one light chain sequence (SEQ ID NO. 28) have been removed from the claims.

Applicants acknowledge that the Examiner has withdrawn Claims 16-19 from further consideration. Applicants have now canceled Claims 16-19.

As indicated above, Claims 1, 6-15, 20, and 22-23 are presented for examination.

### II. Specification

The Examiner has noted the use of trademarks (e.g. XenoMouse™) in the application, and indicated that each letter of the mark should be capitalized wherever it appears and be accompanied by generic terminology. Applicant has amended the specification to place the mark in all capital letters and indicate that XENOMOUSE® is a registered trademark. Applicant has also included generic terminology in connection with the mark, such as “strains of mice,” as appropriate.

### III. Objections to Claims

The Examiner has objected to Claims 22-23 for being dependent upon a rejected base claim, namely Claims 2 and 20. Claim 22 has been amended to depend from Claim 1, which,

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Applicants respectfully submit, is allowable for at least the reasons discussed *infra*. Similarly, Applicants respectfully submit that Claim 20 is allowable for at least the reasons discussed *infra*.

**IV. Claim Rejections – 35 U.S.C. § 112, Second Paragraph**

The Examiner has rejected Claims 2 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for lacking antecedent basis with respect to “monoclonal antibody.” Applicants have canceled Claim 2; Applicants respectfully submit that the rejection is now moot, and request withdrawal of the rejection.

**V. Claim Rejections – 35 U.S.C. § 112, First Paragraph**

The Examiner has rejected Claims 1-2, 6-15, and 20 under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter lacking written description support in the specification because the claims were drawn to the genus of “drug of abuse.” While Applicants disagree, in order to advance prosecution, Applicants have amended Claim 1 to state that the antibody, or binding fragment thereof, binds to amphetamine. The claims depending from Claim 1 are also subject to the amendment. Applicants respectfully submit that the amendment overcomes the rejection.

The Examiner has also rejected Claims 1, 3, 6-15, and 20-21 under 35 U.S.C. § 112, first paragraph, as allegedly lacking enablement in the specification because the claims encompassed “antibodies that comprise only a heavy chain in the absence of a light chain, that bind to a drug of abuse.” In addition to the amendment to recite “amphetamine” instead of “drug of abuse,” Applicants have also amended Claim 1 so that it now recites heavy and light chain polypeptides having sequence pairs (one sequence for the heavy chain and one sequence for the light chain) selected from a group. Support for the amendment can be found in the specification on pages 37-40 (Tables 1 and 2), which show the heavy and light chain sequences associated with several antibodies. For example, Antibody UA002H12\_5\_1 contains a heavy chain of SEQ ID NO. 2, and a light chain of SEQ ID NO. 26. The claims depending from Claim 1 are also subject to the amendment. Applicants respectfully submit that the amendment overcomes the rejection.

The Examiner has also noted that Claim 20 encompassed using the claimed antibodies to treat addiction to a “drug of abuse.” Applicants have amended Claim 20 so that it is now recites that such antibodies can be used to treat addiction to amphetamine. Applicants respectfully submit that the amendment overcomes the rejection.

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Applicants respectfully request withdrawal of the § 112, first paragraph rejections.

**VI. Conclusion**

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action have been addressed and that the application is now in condition for allowance. Accordingly, Applicants request the expeditious allowance of the pending claims.


The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call the undersigned to discuss such issues.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: January 17, 2007

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